

FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION FM

STH

The following application is submitted for action by the Chief, Broadcast Bureau.

ST	FILE NUMBER	CALL	APPLICANT AND LOCATION	NATURE OF APPLICATION
DE	BPH -910213MF N/M	NEW 103.5MHZ	EICHER COMMUNICATIONS, INC. BETHANY BEACH DE	CP FOR NEW FM ON: FREQUENCY: 103.5 MHZ; ERP: 3 KW H&V; HAAT: 100 METERS H&V 38 34 21 75 06 58

LICENSE EXPIRATION DATE _____

CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT() CONSTRUCTION DATES, START _____ END _____

CONTESTED () UNCONTESTED ()

APPROVED _____

FOR CHIEF, BROADCAST BUREAU

F.C.C.-WASHINGTON, D.C.

Approved by OMB
3060-0440
Expires 12/31/90

FEDERAL COMMUNICATIONS COMMISSION

FEE PROCESSING FORM

ORIGINAL

FOR
FCC
USE
ONLY

FCC/MELLON FEB 13 1991

Please read instructions on back of this form before completing it. Section I MUST be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accompany all payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. All required blocks must be completed or application/filing will be returned without action.

SECTION I

APPLICANT NAME (Last, first, middle initial)

EICHER COMMUNICATIONS, INC.

MAILING ADDRESS (Line 1) (Maximum 35 characters - refer to Instruction (2) on reverse of form)

18 TERRACE ROAD

MAILING ADDRESS (Line 2) (if required) (Maximum 35 characters)

CITY

REHOBOTH BEACH

STATE OR COUNTRY (if foreign address)

DE

ZIP CODE

19971

CALL SIGN OR OTHER FCC IDENTIFIER (if applicable)

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in FCC Fee Filing Guides. Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number entered in Column (B), if any.

	(A) FEE TYPE CODE	(B) FEE MULTIPLE (if required)	(C) FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY							
(1)	<table><tr><td>M</td><td>T</td><td>R</td></tr></table>	M	T	R	<table><tr><td>0</td><td>0</td><td>0</td><td>1</td></tr></table>	0	0	0	1	\$ 2,030.00	
M	T	R									
0	0	0	1								

SECTION II

— To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

	(A) FEE TYPE CODE	(B) FEE MULTIPLE (if required)	(C) FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY							
(2)	<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td><td></td></tr></table>					\$	
(3)	<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td><td></td></tr></table>					\$	
(4)	<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td><td></td></tr></table>					\$	
(5)	<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td><td></td></tr></table>					\$	
ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (5), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.				<table><tr><td>TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING</td></tr><tr><td>\$ 2,030.00</td></tr></table>	TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING	\$ 2,030.00	<table><tr><td>FOR FCC USE ONLY</td></tr><tr><td>2030.00</td></tr></table>	FOR FCC USE ONLY	2030.00		
TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING											
\$ 2,030.00											
FOR FCC USE ONLY											
2030.00											

INSTRUCTIONS FOR COMPLETING FEE PROCESSING FORM, FCC FORM 155, May 1990

- (1) **"Applicant Name"** - Enter the name (last, first, middle initial) of the applicant as it appears on the original application or filing being submitted with this Fee Processing Form. If company, enter name which is used commercially.
- (2) **"Mailing Address (Line 1)"** - Enter the street address or post office box number to which the applicant wishes correspondence sent.
- (3) **"Mailing Address (Line 2)"** - This line may be used for further identification of the address if additional space is required.
- (4) **"City"** - Enter the name of the city associated with the given street address.
- (5) **"State or Country"** - Enter the appropriate two-digit state abbreviation as prescribed by the U.S. Postal Service. If address is foreign, enter the appropriate country name here.
- (6) **"ZIP Code"** - Enter the appropriate five or nine-digit ZIP code prescribed by the U.S. Postal Service.
- (7) **"Call Sign or Other FCC Identifier"** - Enter an applicable call sign or unique FCC identifier, if any, as shown on your attached application or filing. If applying for a service affecting more than one call sign, enter one call sign only.
- (8) **Column (A), "Fee Type Code"** - Enter correct Fee Type Code(s) from the appropriate Fee Filing Guide. Only one Fee Processing Form may be submitted per application or filing. Inaccurate or erroneous Fee Type Codes may result in your application or filing being returned to you without further processing.
- (9) **Column (B), "Fee Multiple"** - Certain applications and filings may request action with respect to more than one station, license, frequency, or party and can be submitted together with one check if they meet specific conditions. This column is used only if a multiple, i.e., two or more, is being applied for. Examples of when this would be used are renewing more than one call sign, frequency, station, or the transfer of control of more than one station. Refer to the appropriate Fee Filing Guide for additional information.
- (10) **Column (C), "Fee Due For Fee Type Code in Column (A)"** - Enter in this block the amount of the fee associated with the Fee Type Code shown in Column (A) (times (x) the fee multiple, if required).
- (11) **"Total Amount Remitted With This Application or Filing"** - Enter the total of lines (1) through (5) of Column (C). This amount should equal the amount of your check or money order. We will not accept multiple checks.

HOW TO SUBMIT APPLICATIONS AND FILINGS

o Each application or filing should be assembled with the Fee Processing Form stapled to the top of the application with the check placed on top of the Fee Processing Form. DO NOT STAPLE THE CHECK TO THE APPLICATION OR FEE PROCESSING FORM. Required copies of applications should be clearly identified as "duplicate copy" and placed behind the original package. A copy of an application or filing submitted for receipt purposes only should be placed at the bottom of the submission. Extraneous material and extra copies should be avoided at all times. Failure to abide by these instructions will delay the processing of your submission.

o Completed applications or filings should be mailed to the proper address shown in the Fee Filing Guide for the particular service for which you are applying or making a filing. Applications and filings which are properly addressed to the appropriate P.O. box number may also be hand delivered to the following address. Applications received before midnight on a normal business day will receive that day's date as the receipt date. Deliveries made after midnight on Fridays will not be "officially" receipted until the next Monday. Applications received on weekends and government holidays are dated the next regular business day.

Federal Communications Commission
c/o Mellon Bank
Three Mellon Bank Center
525 William Penn Way
27th Floor, Rm. 153-2713
Pittsburgh, Pennsylvania 15259-0001
(Attention: Wholesale Lockbox Shift Supervisor)

o A single check, bank draft or money order made payable to the Federal Communications Commission and denominated in U.S. dollars and drawn upon a U.S. financial institution must be included with each application or filing requiring a fee. No postdated, altered or third-party checks will be accepted. Do not send cash.

o Parties hand delivering applications or filings may receive dated receipt copies by presenting copies of the applications or filings to the acceptance clerk at the time of delivery. Receipts will be provided for mail-in applications or filings if an extra copy of the application or filing is provided along with a self-addressed stamped envelope. Only one piece of paper per application or filing will be stamped for receipt purposes.

REMEMBER

o A separate completed Fee Processing Form is required with each application or filing except in certain circumstances. Please refer to the appropriate Fee Filing Guide for additional information.

o A wrong Fee Type Code or incorrect remittance may result in your application or filing being returned without processing, or result in the dismissal of your application or filing. Please ensure that FEE TYPE CODES are correct and that your check or money order equals the amount shown in the TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING block before submitting your application or filing.

o If you have any questions completing this form, please call the Fees Hotline, 202/632-FEES.

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 1, Subpart G of the Commission's rules authorize the FCC to request the information on this form. The information requested is required in order to obtain a license or authorization from the Commission. The purpose of the information is to provide a means to link a fee payment to a specific invoice, application or filing. The information will be used by the Commission to maintain data concerning fees paid to the Commission, for internal financial control, audit, and reporting purposes. Information requested on this form will be available to the public. Your response is required to obtain a license or other authorization from the Commission.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Federal Communications Commission, Office of Managing Director, Washington, DC 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0440), Washington, DC 20503.

Law Offices

BESOZZI & GAVIN

1901 L Street, N.W., Suite 200
Washington, D.C. 20036

Stephen Diaz Gavin
(Admitted in Pennsylvania)

(202) 293-7405
Telecopier: (202) 457-0443

February 12, 1991

VIA FEDERAL EXPRESS

Federal Communications Commission
c/o Mellon Bank
Three Mellon Bank Center
525 William Penn Way
27th Floor Room 153-2713
Pittsburgh, Pennsylvania 15251

Re: Eicher Communications, Inc.
Form 301 Application
Bethany Beach, DE FM Station

Dear Sir or Madam:

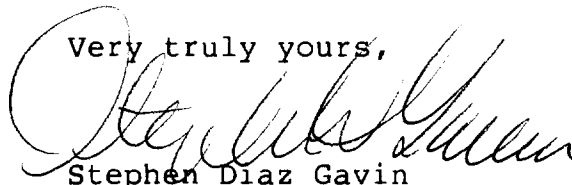
Eicher Communications, Inc. ("Eicher"), through its counsel, hereby submits its FCC Form 301 Application for a new FM station at Bethany Beach, Delaware.

In its Report and Order, 5 FCC Rcd 7144 (M. Med. Bur. 1990), the Commission set February 13, 1991 as the last date for the filing of mutually exclusive applications for Channel 278A at Bethany Beach. Hence, Eicher's application is timely filed.

Pursuant to Section 1.1104 of the Commission's Rules, Eicher has included a check made payable to the Federal Communications Commission in the amount of \$2,030.00, which is the Commission's specified filing fee for new FM applications. 47 C.F.R. §1.1104.

If there are any questions concerning this matter, please contact Stephen Diaz Gavin at (202) 293-7405.

Very truly yours,



Stephen Diaz Gavin
Counsel to Eicher Communications,
Inc.

Enclosure
cc: Elaine C. Eicher
Public File
0745/fccfile.ltr

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

For COMMISSION Fee Use Only	FEE NO:	For APPLICANT Fee Use Only
	FEE TYPE	Is a fee submitted with this application? <input type="checkbox"/> Yes <input type="checkbox"/> No
	FEE AMT:	If fee exempt (see 47 C.F.R. Section 1.1112), indicate reason therefor (check one box): <input type="checkbox"/> Noncommercial educational licensee <input type="checkbox"/> Governmental entity
	ID SEQ:	FOR COMMISSION USE ONLY FILE NO. BPH-910213MF

Section I - GENERAL INFORMATION

1. Name of Applicant Eicher Communications, Inc. Attn: Elaine C. Eicher			Send notices and communications to the following person at the address below: Name Elaine C. Eicher*/ See below for copy		
Street Address or P.O. Box 18 Terrace Road			Street Address or P.O. Box 4360 Van Ness Street, N.W.		
City Rehoboth Beach	State DE	ZIP Code 19971	City Washington	State DC	ZIP Code 20016
Telephone No. (Include Area Code) (302) 277-0889			Telephone No. (Include Area Code) (202) 363-9667		

2. This application is for: ☐ AM ☒ FM ☐ TV

(a) Channel No. or Frequency Ch. 278A 103.5	(b) Principal Community	City Bethany Beach	State DE
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(c) Check one of the following boxes:

☒ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: _____

☐ MINOR change in licensed facilities; call sign: _____

☐ MAJOR modification of construction permit; call sign: _____

File No. of construction permit: _____

☐ MINOR modification of construction permit; call sign: _____

File No. of construction permit: _____

☐ AMENDMENT to pending application; Application file number: _____

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually **103.5 MHz** ☐ Yes ☒ No
BPH -910213MF NEW
If Yes, state: Call letter **BETHANY BEACH DE** State _____
EICHER COMMUNICATIONS, INC.

*/ Copy to: Stephen Diaz Gavin, Esquire, Besozzi & Gavin, 1901 L Street, N.W.
Ste. 200, Washington, D.C. 20036 (202) 293-7405

Section II - LEGAL QUALIFICATIONS

Name of Applicant

Eicher Communications, Inc.

1. Applicant is: (check one box below)

- ☐ Individual ☐ General partnership ☒ For-profit corporation
☐ Other ☐ Limited partnership ☐ Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.

Exhibit No.
N/A

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date February 06, 1991 Place Office of Secretary of State, Dover, Delaware

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3 above, relating to future ownership interests in the applicant, including but not limited to, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, or debentures?

☐ Yes ☒ No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No.

5. Complete, if applicable, the following certifications:

N/A

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

☐ Yes ☐ No

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

☐ Yes ☒ No

If Yes, applicant certifies that the entity holding such interest exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

☐ Yes ☐ No

Section 11 - LEGAL QUALIFICATIONS (Page 2)

5. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
2. Citizenship.
3. Office or directorship held.
4. Number of shares or nature of partnership interests.
5. Number of votes.
6. Percentage of votes.
7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.
8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 76.501, including the nature and size of such interests and the positions held.

1.	Eicher Communications, Inc. 18 Terrace Road Rehoboth Beach, DE 19971	Elaine C. Eicher 18 Terrace Road Rehoboth Beach, DE 19971	
2.	USA (Delaware Corp.)	USA	
3.	—	President, Director	
4.	1,000	1,000	
5.	1,000	1,000	
6.	100%	100%	
7.	None.	None.	
8.	None.	None.	

Section 11 - LEGAL QUALIFICATIONS (Page 3)

7. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

☐ Yes ☒ No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

☒ Yes ☐ No

(c) a broadcast application which has been denied by the Commission?

☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.
1

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

8. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?

☐ Yes ☒ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.
N/A

9. State in an Exhibit any interest the applicant or any party to this application proposes to divest in the event of a grant of this application.

Exhibit No.
N/A

OTHER MASS MEDIA INTERESTS

10. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction 8 to Section 11.)

☐ Yes ☐ No
N/A

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of an individual holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☐ No
N/A

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

11. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction C to Section 11.)

☐ Yes ☒ No

- (b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.

12. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination?

☐ Yes ☒ No

- (b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving full disclosure concerning persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.
N/A

SECTION III - FINANCIAL QUALIFICATIONS

NOTE: If this application is for a change in an operating facility do not fill out this section.

1. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue. ☒ Yes ☐ No
2. State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue. \$ 335,000.00
3. Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

Source of Funds (Name and Address)	Telephone Number	Relationship	Amount
Elaine C. Eicher 18 Terrace Road Rehoboth Beach, DE 19971	(302) 227-0889	President, 100% Stockholder of Applicant	\$350,000.00

Section IV-A - PROGRAM SERVICE STATEMENT

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No. 2

Section IV-B - INTEGRATION STATEMENT

Attach as an Exhibit the information required in 1. and 2. below.

Exhibit No. 3

1. List each principal of the applicant who, in the event of a grant of the application on a comparative basis proposes to participate in the management of the proposed facility and, with respect to each such principal, state whether he or she will work full-time (minimum 40 hours per week) or part-time (minimum 20 hours per week) and briefly describe the proposed position and duties.
2. State with respect to each principal identified in response to Item 1. above, whether the applicant will claim qualitative credit for any of the following enhancement factors:
 - (a) Minority Status
 - (b) Past Local Residence
If Yes, specify whether in the community of license or service area and the corresponding dates.
 - (c) Female Status
 - (d) Broadcast Experience
If Yes, list each employer and position and corresponding dates.
 - (e) Daytime Preference

SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☐ Yes ☒ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 396-A).

SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.3580?

☒ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted Gerald B. Hickman

Telephone No. *(include area code)* (302) 537-1144

Person contacted: *(check one box below)*

☒ Owner ☐ Owner's Agent ☐ Other *(specify)*

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. *(See Section 304 of the Communications Act of 1934, as amended.)*

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

OTHER APPLICATION INTERESTS
(In Response to FCC Form 301, Section II, Item 7(b))

Elaine C. Eicher, President, sole Director and 100% shareholder of Eicher Communications, Inc., was also the President, sole Director and 100% shareholder of Terrace Communications, Inc. ("Terrace"), an applicant for new FM station at Pocomoke City, Maryland, File No. BPH-880714NV. By Memorandum Opinion and Order, FCC 90M-1764, the Presiding Judge in MM Docket No. 90-248 released the Terrace application pursuant to a settlement agreement. There were no unresolved issues involving Terrace's application.

Mrs. Eicher was also an applicant as an individual for a new FM station at Appomattox, Virginia, File No. BPH-850712ZH. By Order, 3 FCC Rcd 4539 (Rev. Bd. 1988), the Review Board dismissed Mrs. Eicher's application pursuant to a settlement agreement. There were no unresolved issues involving Mrs. Eicher's application. Mrs. Eicher had been awarded the Appomattox construction permit by the Administrative Law Judge. See, Elaine C. Eicher, 3 FCC Rcd 812 (Admin. L. J. 1988).

Mrs. Eicher had previously filed an application for construction permit for a new FM radio station at Buckhannon, West Virginia. See, File No. BPH-850712YF. The Commission found the application unacceptable for filing because Mrs. Eicher's proposed use of a directional antenna with a ratio of maximum to minimum radiation in the horizontal plane exceeded the limit allowed by Section 73.316(c) of the Rules. Mrs. Eicher requested reconsideration of the dismissal of the application. By Hearing

EICHER COMMUNICATIONS, INC.

Exhibit 1

Page 2

Designation Order, DA 87-582, released May 26, 1987, the Commission denied Mrs. Eicher's request for reconsideration and affirmed the dismissal of her application for Buckhannon.

0745/exhibit1.doc

PROGRAM SERVICE STATEMENT
(In Response to FCC Form 301, Section IV-A)

Eicher Communications, Inc. recognizes that the needs of the listening audience in the Bethany Beach area could be quite varied. The demographics range from an urban setting along the coast to rural communities elsewhere. Further, the listening audience density swells during the summer months and weekends throughout the year.

Should Eicher Communications obtain the license for channel 278A, it intends that its broadcasting would, in a relatively short time, become known as the local station. It would do this by selecting a variety of programming that would be responsive to its diverse listening audience. The programming would be packaged to maximize the types of people that can be attracted in a given hour.

Eicher Communications would periodically survey, review and assess the concerns and needs of the Bethany Beach community and would offer programming responsive to those needs. These would include but not be limited to local newscasts and weather reports, public affairs programs and public service announcements. In addition, access time would be made available to spokespersons for all significant viewpoints on local, state or national issues which are either of specific concern to the Bethany Beach area residents or might reasonably be construed as controversial issues of area public importance.

INTEGRATION PROPOSAL
(In Response to FCC Form 301, Section IV-B)

Elaine C. Eicher, President, sole Director and 100% shareholder of Eicher Communications, Inc., will work full-time a minimum of 40 hours per week, as the General Manager of Eicher Communications' Bethany Beach FM station. Mrs. Eicher will terminate any employment which she then might have to fulfill her integration proposal.

In that capacity, Mrs. Eicher will be responsible for all aspects of management of her proposed station, including programming, sales, personnel and administrative matters.

Eicher Communications will claim the following enhancement credits: (1) female ownership; (2) part-time past and present local residence (service area); and (3) full-time future local residence (service area).

0745/exhibit3.doc

JOHN H. MULLANEY, P.E.
JOHN J. MULLANEY

MULLANEY ENGINEERING, INC.

9049 SHADY GROVE COURT
GAITHERSBURG, MD 20877

301 921-0115

ENGINEERING EXHIBIT EE:

**EICHER COMMUNICATIONS, INC.
BETHANY BEACH, DELAWARE
Ch. 278A 3.0 KW 100 M HAAT
(328 FEET)**

FEBRUARY 8, 1991

**ENGINEERING STATEMENT IN SUPPORT OF
AN APPLICATION FOR A
NEW FM STATION**

**ORIGINAL
SIGNATURE**

MULLANEY ENGINEERING, INC.

ENGINEERING EXHIBIT EE:

**EICHER COMMUNICATIONS, INC.
BETHANY BEACH, DELAWARE
Ch. 278A 3.0 KW 100 M HAAT
(328 FEET)**

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Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. _____

ASB Referral Date _____

Referred by _____

Name of Applicant

Eicher Communications, Inc.

Call letters (if issued)

Is this application being filed in response to a window? ☒ Yes ☐ No

If Yes, specify closing date: 02/13/91

Purpose of Application: (check appropriate boxes)

☒ Construct a new (main) facility

☐ Construct a new auxiliary facility

☐ Modify existing construction permit for main facility

☐ Modify existing construction permit for auxiliary facility

☐ Modify licensed main facility

☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☐ Antenna supporting-structure height

☐ Effective radiated power

☐ Antenna height above average terrain

☐ Frequency

☐ Antenna location

☐ Class

☐ Main Studio location

☐ Other (Summarize briefly)

File Number(s) _____

1. Allocation:

Channel No.	Principal community to be served:		
	City	County	State
278	Bethany Beach	Sussex	DE

Class (check only one box below)

☒ A ☐ B1 ☐ B ☐ C3

☐ C2 ☐ C1 ☐ C

3 kW

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark. **3.9 Miles N.W. of Bethany Beach, 1.6 Miles North of Route 26 on County Road 34, (Sussex County).**

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	38°	34'	21"	Longitude	75°	06'	58"
----------	-----	-----	-----	-----------	-----	-----	-----

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both. _____

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any. _____

4. Does the application propose to correct previous site coordinates?
If Yes, list old coordinates.

☐ Yes ☒ No

Latitude	0	'	"	Longitude	0	'	"
----------	---	---	---	-----------	---	---	---

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.

Date 02/08/91 Office where filed Eastern Region

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

Landing Area	Distance (km)	Bearing (degrees True)
(a) <u>Cozy Cove</u>	<u>6.3</u>	<u>359</u>
(b) <u>West Pvt.</u>	<u>7.5</u>	<u>215</u>

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; 6' 2 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 347' 106 meters

(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)] 353' 108 meters

- (b) Height of radiation center: (to the nearest meter) H - Horizontal; V - Vertical

(1) above ground 329' 100 meters (H)

329' 100 meters (V)

(2) above mean sea level [(a)(1) + (b)(1)] 335' 102 meters (H)

335' 102 meters (V)

(3) above average terrain 328' 100 meters (H)

328' 100 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.
EE

Figure 3

9. Effective Radiated Power:

(a) ERP in the horizontal plane 3 kw (H*) 3 kw (V*)

- (b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No.

 kw (H*) kw (V*)

*Polarization

10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of the relative field.

Exhibit No.
--

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Exhibit No.
--

12. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1126.

Exhibit No.
--

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☐ Yes ☒ No

See Figure 4

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply?

3 kW Rules

☒ Yes ☐ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.
EE

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.
--

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.
EE

Figure 5, 5A, 5B

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)

Exhibit No.
EE

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No. EE

Figure 1

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No. EE

Figure 2

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 616 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 994 sq. km. Population 44,015

(Water Area Removed)

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No. --

DNA

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

☒ Linearly interpolated 60-second database

☒ 7.5 minute topographic map

(Source: NGDC)

45, 90, and 135 Done Manually.

☐ Other *(briefly summarize)*

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 8 to 16 km (meters)	Predicted Distances	
		To the 3.16 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
*			
0	101.8	13.5	24.5
45	102.0	13.5	24.5
90 ‡	100.8	13.5	24.3
CITY 135 ‡	99.9	13.5	24.1
180	100.4	13.5	24.3
225	97.5	13.4	24.0
270	98.8	13.4	24.1
315	99.0	13.4	24.1

*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

‡ = Average Terminated at Water.

20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No

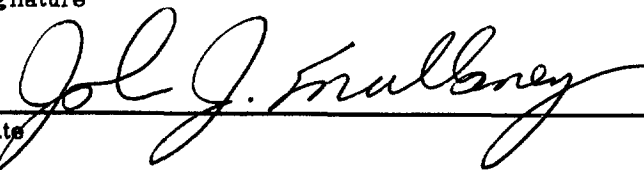
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.

If No, explain briefly why not. See Exhibit EE

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed)	Relationship to Applicant (e.g., Consulting Engineer)
John J. Mullaney	Consulting Engineer
Signature	Address (Include ZIP Code)
	Mullaney Engineering, Inc. 9049 Shady Grove Court Gaithersburg, MD 20877
Date	Telephone No. (Include Area Code)
02/08/91	(301) 921-0115

MULLANEY ENGINEERING, INC.

DECLARATION

I, John J. Mullaney, declare and state that I am a graduate electrical engineer with a B.E.E. from Catholic University, and my qualifications are known to the Federal Communications Commission, and that I am an associate engineer in the firm of Mullaney Engineering, Inc., and that firm has been retained by Eicher Communications, Inc., to prepare an application for a new FM station.

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.


John J. Mullaney

Executed on the 8th day of February 1991.

MULLANEY ENGINEERING, INC.

ENGINEERING EXHIBIT EE:

**EICHER COMMUNICATIONS, INC.
BETHANY BEACH, DELAWARE
Ch. 278A 3.0 KW 100 M HAAT
(328 FEET)**

NARRATIVE STATEMENT:

I. GENERAL:

This engineering statement has been prepared on behalf of Eicher Communications, Inc. The purpose of this statement is to request a Construction Permit to build a new FM broadcast facility on Channel 278A at Bethany Beach, Delaware, which will operate with an ERP of 3.0 KW and an HAAT of 100 Meters (328 Feet). This application proposes facilities which are in compliance with the contour protection requirements of Section 73.215 to one co-channel Class B station. This application qualifies for processing as a Grandfathered Class A station - Section 73.213 - to three other existing stations.

The application is filed in response to a Public Notice for a window which closes on 2/13/91.

The application is not a major environmental action, as defined by Section 1.1307 of the Commission's Rules. The proposed facility is in full compliance with the FCC / ANSI Radiation Guidelines.